claim for damages. On failure to arrive at suitable arrangement by entering into an agreement the scheme itself provides for a remedy to the resulting company.

The Order further states that if all the options available to the parties in the MOU and/or Scheme of Demerger approved by the Company Court meet with failure within the stipulated time of one month it will be open for the aggrieved party to approach the Company Court for modification of the Scheme, till then the interim arrangement ordered by the Court at conclusion of the arguments will continue to operate.

The judgment mentioned that RIL will supply 28 MMSCMD of gas for a period of 17 years from the date gas could be supplied to Reliance Energy Limited (REL) for all its projects at a price not more than US$2.34 per million British Thermal Unit (MMBTU).

In the interim judgment given by the court, the stay on supply of gas to various consumers was vacated. Presently, about 28 MMSCMD gas is being produced and supplied to fertilizer and power companies, in consonance with the decisions of the Empowered Group of Ministers (EGOM).

Now, both the parties, RIL and RNRL, have separately challenged the above High Court Order in the Supreme Court.

Gas purchase deal with RIL

964. SHRI N.R. GOVINDARAJAR: Will the Minister of POWER be pleased to state:

(a) whether Government has asked NTPC to sign a gas purchase deal with the Reliance Industries Ltd. (RIL) for their power projects;

(b) if so, the details thereof;

(c) whether NTPC has agreed to buy natural gas from RIL;

(d) if so, the details thereof;

(e) whether Government had allocated 2.67 million cubic metres of gas per day from RIL's KG-D6 field to NTPC; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI): (a) to (d) No, Sir. Government has not issued any instruction to NTPC for signing of gas purchase deal with RIL.

NTPC invited bids under International Competitive Bidding for procurement of natural gas @ 132 TBtu (Trillion British thermal units) per annum for Kawas-II and Gandhar-II power projects for a period of 17 years. Reliance Industries Limited (RIL) was evaluated as the lowest techno-commercially acceptable bidder and NTPC accepted its offer. Accordingly, a Letter Of Intent (LOI) was issued to RIL on 16.06.2004 which was duly acknowledged and confirmed by RIL. As per the aforesaid contract, RIL is required to supply the gas to NTPC from D6 Block of KG Basin at gas commodity price of US $2.34 per MMBtu (Million Metric British thermal units) (landfall price at Kakinada).

After the issuance of LOI, R1L did not come forward to sign the Gas Sale Purchase Agreement (GSPA) and sought major changes in the agreed draft of GSPA. The changes sought by RIL on the accepted draft GSPA would have altered the basic complexion of the Contract and were not acceptable to NTPC.

NTPC persuaded RIL at various levels and at various meetings to sign the GSPA, as per the draft accepted by RIL during the bidding process.

However, in spite of all the efforts, RIL did not sign the GSPA agreed during the bidding process, instead RIL unilaterally signed a contract which was not in line with the agreed GSPA and that left NTPC with no alternative other than taking legal recourse.

Accordingly, NTPC filed a suit in the High Court of Bombay against RIL on 20.12.2005 for specific performance of the contract.

The matter is presently sub-judice in Hon'ble High Court of Mumbai.

(e) and (f) NTPC had requested Ministry of Power for allocation of additional gas, to mitigate the current gas shortage at its existing Gas based Stations, from KG D6 Block out of 18 MMSCMD gas allocated to power sector by the Empowered Group of Ministers (EGOM). EGOM have allocated 2.67 Million Metric Standard Cubic Meter Per Day (MMSCMD) of KG D6 gas, plant-wise, to NTPC's existing gas-based power stations at approved gas price without prejudice to NTPC's suit in Bombay High Court.

M/s RIL have forwarded the draft GSPA to NTPC for supply of gas to NTPC's existing stations. NTPC has forwarded its comments to M/s RIL on the draft GSPA for finalization.

Exodus of employees from Government Undertakings

965. SHRI A. ELAVARASAN: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether it is a fact that a number of technical cadre employees have left from Government undertakings like ONGC and GAIL and joined the private and multinational companies;

(b) if so, the number of employees who resigned from the services during the last five years;

(c) whether Government would propose strict employment norms to prevent such exodus of employees and joining in private concerns with knowledge including confidential layouts and experience gained from Government undertakings; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MNISTRY OF PETROLEUM AND NATURAL GAS (SHRI JATIN PRASADA) : (a) and (b) The number of employees who left job in ONGC and GAIL during the last five years is under: